



Change Notice

DIRECTIVE AFFECTED: 5803.07
CHANGE NOTICE NUMBER: 5803.07
DATE: 3/16/98

1. PURPOSE AND SCOPE. To reissue the Program Statement on Progress Reports.

2. SUMMARY OF CHANGES. This reissuance emphasizes that progress reports should be comprehensive, evaluative and reflect a realistic assessment of the inmate and should not be prepared in a perfunctory manner. In addition, Executive Staff approved the preparation of progress reports every three years instead of every two years on each designated inmate if not previously generated for another reason.

/s/
Kathleen M. Hawk
Director



Program Statement

OPI: CPD
NUMBER: 5803.07
DATE: 3/16/98
SUBJECT: Progress Reports

RULES EFFECTIVE: 3/16/98

1. [PURPOSE AND SCOPE §524.40. The Bureau of Prisons maintains current information on each inmate through progress reports completed by staff. The progress report summarizes information relating to the inmate's adjustment during confinement, program participation, and readiness for release.]

2. PROGRAM OBJECTIVES. The expected results of this program are:

a. Accurate and current information on each sentenced inmate regarding the inmate's adjustment during confinement, program participation, and release needs will be maintained.

b. Progress reports will be based on factual information, but will also be analytical, evaluative, and draw conclusions about the inmate based on observed/reported behavior and interaction with staff.

3. DIRECTIVES AFFECTED

a. Directive Rescinded

PS 5803.06 Progress Reports (7/1/96)

[Bracketed Bold - Rules]
Regular Type - Implementing Information

b. Directives Referenced

PS 5110.11	Notifications of Release to State and Local Law Enforcement Officials (10/31/95)
PS 5325.05	Release Preparation Program, Institution (7/18/96)
PS 5380.03	Cost of Incarceration Fee (COIF) (6/2/95)
PS 5800.11	Inmate Central File, Privacy Folder, and Parole Mini-Files (9/8/97)
PS 5840.03	Staff Correspondence About Inmates (3/4/93)
PS 7310.03	Community Corrections Center (CCC) Utilization and Transfer Procedure (3/25/96)

c. Rules cited in this Program Statement are contained in 28 CFR §524.40-43.

4. STANDARDS REFERENCED

a. American Correctional Association 3rd Edition Standards for Adult Correctional Institutions: 3-4291;

b. American Correctional Association 3rd Edition Standards for Adult Local Detention Facilities: None;

c. American Correctional Association 2nd Edition Standards for Administration of Correctional Agencies: 2-CO-1E-06; and,

d. American Correctional Association Standards for Adult Correctional Boot Camp Programs: None.

5. PRE-TRIAL AND HOLDOVER INMATES. This Program Statement is applicable to designated inmates. However, in certain circumstances, a progress report may be required for a pre-trial or holdover inmate.

6. [TYPES OF PROGRESS REPORTS §524.41]. The Bureau of Prisons prepares the following types of progress reports.

a. Initial Hearing - prepared for an inmate's initial parole hearing when progress has not been summarized within the previous 180 days.

b. Statutory Interim/Two-Thirds Review - prepared for a parole hearing conducted 18 or 24 months following a hearing at which no effective parole date was established, or for a two-thirds review (see 28 CFR §2.53) unless the inmate has waived the parole hearing.]

U.S. Parole Commission (USPC) regulations are the determining factor on whether the statutory interim report is prepared after 18 or 24 months. (See Title 28, Code of Federal Regulations, Section 2.14). When an inmate chooses to waive a two-thirds mandatory parole hearing, a progress report is not required. The inmate must initial the Parole Form I-24 (Notice of Hearing), No. 3D, indicating a desire to waive mandatory parole. Staff shall then forward the executed I-24 to the USPC's Chevy Chase, Maryland office.

[c. Pre-Release

(1) Record Review - prepared for and mailed to the appropriate Parole Commission office at least eight months prior to the inmate's presumptive parole date.]

Upon review of this report, the USPC may grant a parole effective date or may modify its previous order.

[(2) Final - prepared at least 90 days prior to the release of an offender to a term of supervision.]

A comprehensive updated progress report shall include current information on all areas in sections 16 and 17 on the Progress Report form (Attachment A).

Progress reports submitted for prerelease reviews for inmates with a parole release date shall include copies of all Disciplinary Hearing Officer (DHO) Reports that have occurred since the last USPC action.

When it is anticipated that the inmate will not be released through a Community Corrections Center (CCC), staff shall include a statement to that effect (with reasons provided) in the progress report. In such cases, a final progress report shall be completed and forwarded to the appropriate U.S. Probation Office (USPO) 90 days prior to release.

A final progress report shall also be completed 90 days prior to release and forwarded to the appropriate USPO when the inmate is to be released to a detaining authority.

A final progress report does not need to be prepared on a deportable inmate who is serving his or her sentence in a contract detention facility or who has had an immigration hearing and has been ordered deported.

When it is anticipated that the inmate will be released through a CCC, the pre-release record review and/or the final progress report is to contain a thorough review of the inmate's community resources, release plans and information regarding the planned CCC transfer. When known, the progress report is to include the specific CCC and the expected date of transfer (or anticipated length of stay). When specific information is not available, the progress report is to reflect the current status of transfer arrangements. In the latter situation, staff are expected to notify the USPC and USPO when more specific information becomes available. Medical concerns or medication the inmate will need to have while in a CCC shall be addressed in section g.

Regardless of the release destination, (detaining authority, CCC, or direct release to the community), case management staff shall provide specific, comprehensive, and detailed information as described in Attachment B, pages 3-4 (Institutional Adjustment and Release Planning). Such information is essential to USPO staff to prepare a supervision plan that meets the inmate's needs and risks once released to the community.

Inmates subject to release notification provisions under 18 U.S.C. §4042(b), shall have the following notification statement included in the final progress report (paragraph 17 (c), Release Planning - USPO):

"Offender is subject to notification under 18 U.S.C. §4042(b), due to the offender's (indicate either):
conviction for a drug trafficking crime; current conviction for a crime of violence; and/or past conviction for a crime of violence."

[d. Transfer Report - prepared on an inmate recommended and/or approved for transfer to a community corrections center (CCC) or to another institution and whose progress has not been summarized within the previous 180 days.]

When an inmate is recommended for a close supervision, disciplinary, or CCC transfer, the progress report is prepared **before** transfer approval and is included as part of the referral material. On all other transfer requests, the progress report is prepared **after** transfer approval.

A progress report does not need to be prepared on a deportable inmate who is serving his or her sentence in a contract detention facility.

[e. Triennial Report - prepared on each designated inmate at least once every 36 months if not previously generated for another reason required by this section.]

All current biennial CMA assignment dates shall be advanced one full year to convert them to a triennial date (05-15-1998 to 05-15-1999).

[f. Other - prepared for any reason other than those previously stated in this section. The reason (e.g., court request, clemency review) is specified in the report.]

A progress report ordinarily is not prepared solely at the inmate's request.

Regardless of the progress report type, only the most current report should be retained in the central file since these reports are comprehensive (summarizes the inmate's entire history of incarceration) in nature.

Staff are to ensure that exhaustive research is completed for each section of the progress report. It is to reflect an evaluation of the inmate's past status, an assessment of his or her current status, and potential for future performance. This could include the inmate's continued participation in a program, and what they plan to do at the completion of the program, or if they plan to use what they have learned upon their release. Standardized responses are discouraged.

7. [CONTENT OF PROGRESS REPORTS §524.42. Staff shall include the following information in each progress report:

- a. Institution (full name) and Date;
- b. Type of Progress Report;
- c. Committed name;
- d. Registration number;
- e. Age;
- f. Present security and custody level;
- g. Offense(s) for which committed;
- h. Sentence;
- i. Date sentence began;
- j. Time served to date, including jail time credit;
- k. Good conduct time/Extra good time earned;
- l. Statutory good time withheld or forfeited; Disallowed good conduct time;
- m. Projected release date;
- n. Most recent Parole Commission action, including any special conditions or requirements (if applicable);
- o. Detainers and pending charges on file;
- p. Institutional adjustment; this ordinarily includes information on the inmate's:
 - (1) Program plans;
 - (2) Work assignments and skills acquired;
 - (3) Educational/vocational participation;
 - (4) Counseling programs;
 - (5) Incident reports;
 - (6) Institutional movement;
 - (7) Physical and mental health, including any significant mental or physical health problems, and any corrective action taken; and
 - (8) Financial responsibility.
- q. Release planning:
 - (1) Where appropriate, staff shall request that the inmate provide a specific release plan;
 - (2) Staff shall identify available release resources (including CCC) and any particular problem that may be present in release planning.]

Information should also be provided on the inmate's relationship with others (both staff and inmates), particularly with respect to attitude, punctuality, etc. (see Attachment B, Pages 2-3). This information allows the supervising USPO to become familiar with the job readiness, work experience, and attitude of the inmate being released to supervision.

8. CASE MANAGEMENT ACTIVITY (CMA) ASSIGNMENT. Triennial Progress Reports shall be tracked via a SENTRY generated CMA assignment. Unit staff shall enter the "Prog Rpt" CMA assignment at the inmate's initial classification to ensure that a progress report is completed within the appropriate time frame. The CMA assignment shall be updated as needed to reflect a date 36 months in advance of the current progress report maintained in the inmate central file.

(Example: Current progress report is dated 05-15-1997; the CMA assignment would read PROG RPT due 05-15-2000.)

Unit staff may also use the "Prog Rpt" CMA assignment to track progress reports which are due for other reasons (i.e. - transfer, pre-release, initial, statutory interim/two-thirds review, other). The CMA assignment should not exceed the inmate's projected release date. For example, if a progress report is prepared within three years of the inmate's release date, the CMA will indicate a date when the pre-release progress report is due. The progress report due date should coincide with a meaningful activity.

(Example: An inmate who receives an eight month sentence, and three years supervised release, would have a progress report due date which coincides with the approximate date release plans should be sent to the USPO.)

9. [INMATE'S ACCESS TO PROGRESS REPORTS §524.43. Upon request, an inmate may read and receive a copy of any progress report retained in the inmate's central file which had been prepared on that inmate after October 15, 1974. Staff shall allow the inmate the opportunity to read a newly prepared progress report and shall request the inmate sign and date the report. If the inmate refuses to do so, staff witnessing the refusal shall document this refusal on the report. Staff shall then offer to provide a copy of the progress report to the inmate.]

The inmate's signature on the original allows all subsequent reproductions to show the inmate's signature and date. An inmate who refuses to sign and date the original of the report can still receive a copy of this report upon request.

Progress reports prepared after October 15, 1974 are fully disclosable to the inmate.

10. PROGRESS REPORT LENGTH AND FORMS. Progress reports are generally limited to **three** typewritten pages. Refer to Attachment A and B for the correct format and instructions for completing a progress report. The Progress Report form is available on BOPDOCS.

11. DISTRIBUTION OF PROGRESS REPORTS. Final progress reports shall be mailed to the appropriate USPO, and if applicable to the USPC. Facsimiles may be used in particular locales and under certain circumstances when cost effective.

Final release progress reports may be batch-mailed as a cost saving measure when it will not delay the timely receipt of the progress report by USPO staff.

12. PROGRESS REPORT LIFE. A progress report is considered current if it has been 180 days or less since last issuance, unless there is new and significant information which requires inclusion in the report. New and significant information would include changes in an inmate's behavior, work habits and skills, program accomplishments, release plans, etc.

/s/

Kathleen M. Hawk
Director

3/16/98

Attachment A

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

1.
Institution Name, Address and Phone Number *Date
*

Inmate Reviewed

2.
Inmate's Signature *Date *Staff Signature
* *

3.
4.
1. Type of Progress Report
G Initial G Statutory Interim G Pre-Release
G Transfer G Triennial G Other (Specify) _____

5.
2. Inmate's Name *3. Register Number *4. Age (DOB)
* *

6.
5. Present Security/Custody Level

7.
6. Offense/Violator Offense

8.
7. Sentence

9.
8. Sentence Began *9. Months Served + *10. Days GCT/or EGT/SGT
* Jail Credit *
* *

10.
11. Days FSGT/WSGT/DGCT *12. Projected Release *13. Last USPC Action
* *

11.
14. Detainers/Pending Charges

12.
15. Co-defendants

13.
For Continuation Pages, type on a blank sheet with the Inmate's Name, Register No., and Date and attach to this form.

Record Copy - Inmate File; copy - U.S. Probation Office; copy - Parole Commission Regional Office (If applicable)
Inmate

(This form may be replicated via WP)

Replaces all BP-CLASS-3 and BP-187(58) of NOV 90

INSTRUCTIONS FOR COMPLETION OF BP-187, PROGRESS REPORT

Staff are to ensure that exhaustive research is completed for each section of the progress report section. It is to reflect an evaluation of the inmate's past status, an assessment of his or her current status, and potential for future performance. This could include the inmate's continued participation in a program, and what they plan to do at the completion of the program, or if they plan to utilize what they have learned upon their release. Standard responses are discouraged.

1. Type of Progress Report: Indicate the purpose of the progress report.
2. Name: Inmate's committed name in the following order: last, first, middle.
3. Registration Number: Complete Reg. No.; if there is a unit designation code, place it in parentheses following the Reg. No.
4. Age: Inmate's age and date of birth.
5. Present Security and Custody Level: As determined by the BP-338 Form.
6. Offense: List each offense for which inmate is currently committed; use abbreviations, if necessary. If returned as a Parole Violator, Mandatory Release Violator, or Supervised Release Violator, state the offense(s), the original offense(s) and days remaining to be served.
7. Sentence: Years/months received and sentencing procedure (e.g., 5010(b), CCCA, etc.). Include any financial obligations imposed by the courts.
8. Sentence Began: Date sentence began, not date inmate was committed.
9. Months Served/Jail Credit: Total months served from the date inmate began serving sentence to the date progress report is prepared. Give the number of days jail credit to be added to the figure (i.e., 22 months plus 16 days jail

time credit). Also include any inoperative time, if applicable.

10. Days of GCT or EGT: Good conduct time or extra good time as reflected on the SENTRY Good Time Data Record.
11. Days of FSGT/WSGT/DGCT: Forfeited or withheld good time as of the date the report is prepared, if applicable, or amount of good conduct time disallowed through DHO actions (may require contact with ISM).
12. Projected Release Date: Month and year of projected release (indicate type of release), taking into account any good conduct time earned if CCCA, or EGT, FSGT, or WSGT under old law. For parole cases, this date shall refer to the M.R. expiration date with good time and not the parole release date.
13. Last Commission Action and Date: The nature and date of the last USPC action, plus any special conditions or requirements, if applicable.
14. Detainers/Pending Charges: Present status of all known detainers and pending charges. On immigration detainers, indicate if the inmate has had a hearing and disposition made.
15. Co-Defendants: List all co-defendants if the inmate is serving a parolable sentence. This is helpful in maintaining consistency in parole decision-making.

Item 16 will begin on page 2 of the progress report continuation page (Page 2 of this attachment).

16. Institutional Adjustment: A summary of the inmate's past and current institutional adjustment. Give a brief interpretation when it will clarify an understanding of the inmate's adjustment. Discuss the following areas:
 - a. Program Plan - Identify program plans established at initial classification and program reviews. Current information should be obtained from the most recent Program Review Report maintained in the inmate's central file.

b. Work Assignments - Summarize institution work history and identify current assignment(s), Specify duties of the position(s), hours worked, promotion(s) received, specific skill(s) learned and degree of competence in each, relationships with supervisors and co-workers, and other significant aspects of the inmate's adjustment to the job (e.g., attitude, punctuality, willingness to accept and complete assignments, willingness to accept supervision). Comments/recommendations of the appropriate work supervisor(s) are to be included whenever possible.

c. Educational/Vocational Participation - Summarize institution history and accomplishments, and indicate current educational/vocational training participation. Specifically address the level of educational attainment (e.g., completed ABE program, has GED) and the inmate's academic strengths and weaknesses. For vocational participation, identify the type of course(s), the extent (number of hours - level attained) of program involvement, specific skill(s) learned and degree of competence in each, relationships with instructors and other students, and other significant aspects of the inmate's participation in training (e.g., attitude, punctuality, willingness to accept and complete assignments, willingness to accept instruction). Comments/recommendations of the vocational instructor(s) are to be included whenever possible.

d. Counseling Programs Summarize institution counseling history and identify current participation in counseling programs including program description, hours completed, level of participation, and benefit derived.

e. Incident Reports - Summarize institution incident report history and prepare two separate entries, one for incident reports resulting in Unit Discipline Committee (UDC) actions (no DHO disposition), and the other for incident reports resulting in DHO actions. For each entry, list the date, charge(s), and disposition of any applicable incident reports. **For prohibited acts of greatest severity, include a brief account of the incident; this requirement is optional for the other categories of prohibited acts.** An

inmate's incident report history may be summarized in paragraph format when there is an extensive history of incident reports.

f. Institutional Movement - If the inmate has been transferred since initial confinement, give the date, location, and reason(s) for each transfer.

g. Physical and Mental Health - Indicate any significant mental or physical health problems, and any corrective action taken. A statement regarding employability and employment limitations is to be made. This information is particularly useful in pre-release progress reports. Medical concerns or medication the inmate will need to have while in a CCC shall be addressed in this section.

h. Progress on Financial Responsibility Plan - Identify financial obligations imposed by the court, the district, the amount, payment plans and payments made. Also include if the inmate owes a Cost of Incarceration Fee (COIF), payment plans and payments made.

17. Release Planning: State the release resources available (including CCC) and any particular problem which may be present in release planning (refer to page 3). The progress report is to contain a thorough review of the inmate's community resources, release plans and information regarding the planned CCC transfer. When known, the progress report is to include the specific CCC and the expected date of transfer (or anticipated length of stay). Staff are to request that the inmate provide a specific release plan. If the report is a pre-release record review or is otherwise expected to be a final report prior to the inmate's return to the community, staff shall attempt to verify the plan, including:

a. Residence - Complete name, address, telephone number, and relationship of the person with whom the inmate plans to live. (See Section 4, C, 2 for instructions if this information is not available at the time of the report).

b. Employment - Complete name, address, and telephone number of proposed employer and type of work.

c. USPO - City and state (not judicial district) of the supervising USPO (if known, provide the name of supervising officer). Also indicate any other USPO which has an active interest in the case, including the initial sentencing district. If the inmate is subject to the notification provision of 18 U.S.C. §4042(b), include the notification statement.

d. Release Preparation Program - When the progress report is to be used for CCC referral, staff are to discuss the inmate's involvement in the Release Preparation Program. This includes, but is not limited to, training received (e.g., job interview skills), and sessions attended with representatives of the community (e.g., Community Corrections Manager, USPO). This information will help CCC staff avoid a duplication of efforts. If the inmate did not take part in the Release Preparation Program, or participated in an abbreviated program, staff should identify the inmate's release needs.

18. Dictated By: Name of the Case Manager and the date the report is dictated.
19. Date Typed: Provide the date the report is typed.
20. Reviewed By: Unit Manager name and the date the report is reviewed.